

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 1161	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/BR 2004/000149	International filing date (day/month/year) 12 August 2004 (12.08.2004)	Priority Date (day/month/year) 12 August 2003 (12.08.2003)
International Patent Classification (IPC) or national classification and IPC IPC⁷:		
Applicant ITAUTEC PHILCO S/A - GRUPO ITAUTEC PHILCO		

1. This international preliminary examination report has been prepared by this International Preliminary Examination Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I. ☒ Basis of the opinion
- II. ☐ Priority
- III. ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV. ☐ Lack of unity of invention
- V. ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI. ☐ Certain documents cited
- VII. ☐ Certain defects in the international application
- VIII. ☐ Certain observations on the international application

Date of submission of the demand 03.03.2005	Date of completion of this report 4 November 2005 (04.11.2005)
Name and mailing address of the IPEA/AT Austrian Patent Office Dresdner Straße 87 A-1200 Vienna Facsimile No. 1/53424/200	Authorized officer STEINZ-KRISMANIC C. Telephone No. 1/53424/387

Form PCT/IPEA/409 (cover sheet) (July 1998)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/BR 2004/000149

I. Basis of the report

1. With regard to the elements of the international application:*

☒ the international application as originally filed

☐ the description:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____.

☐ the claims:

pages _____, as originally filed

pages _____, as amended (together with any statement) under Article 19

pages _____, filed with the demand

pages _____, filed with the letter of _____.

☐ the drawings:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____.

☐ the sequence listing part of the description:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in printed form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____.

☐ the claims, Nos. _____.

☐ the drawings, sheets/fig _____.

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as „originally filed“ and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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International application No.

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III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application,

☒ claims Nos. 8-26.

because:

☐ the said international application, or the said claims Nos.
require an international preliminary examination (*specify*):

relate to the following subject matter which does not

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 8-26 are so unclear that no meaningful opinion could be formed (*specify*):

According to Article 6 PCT taken in combination with Rules 6.3a and 6.3b PCT, the claims should be clear and concise, and defined in terms of technical features of the invention. The formulation of the claims mentioned above leaves an undetermined scope of possible solutions, and is therefore not appropriate to give a clear and concise characterization of the invention. The claims mentioned above mainly consist of phrases exclusively referring to general statements concerning advantages or aims of the invention (... "providing opening intervals" (how), "providing the determination of time schedules" (how), "allowing alteration of configuration" (which configurations and how is it altered)...), but no clear and concise definition of the matter for which protection is sought. According to the reasons stated above no meaningful opinion could be established for claims 8-26 of the present application.

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☒ no international search report has been established for said claims Nos. 8-26.

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the standard.

☐ the computer readable form has not been furnished or does not comply with the standard.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/BR 2004/000149**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement			
Novelty (N)	Claims	1-7	YES
	Claims	----	NO
Inventive step (IS)	Claims	1-7	YES
	Claims	----	NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims	----	NO

Citations and explanations (Rule 70.7)

Document US 4 355 369 A discloses a banking system consisting of a set of ATMs with a central controller and a separate input device on each ATM for maintenance purposes. Each ATM also has a physical switch interconnected to the central controller for putting the system into supervisory mode. This document does not anticipate a biometric identification, a biometric database, a cryptographic module or a local management device inside each terminal.

The WO2002/012979 A2 shows an automatic banking machine system with a rear maintenance user station. Biometric scanners, card reader, function keys, keypad and display are also included. The maintenance station is controlled through the operating system of the computer (pos.42) which is in operative connection with a remote banking system. The document does not enclose a biometric verification, cryptographic system or a physical switch for each set of ATM terminals.

Document US 6 484 936 B1 describes a biometric verification system with a database and a comparator to compare the biometric data of the user with the previously recorded biometric data. This document does not describe a management centre for ATMs, a safety module or switches for the ATMs.

According to the opinion written above none of the documents contains all the technical features claimed in claim 1 of the present application. Therefore claim 1 of the present application is new with respect to the prior art. As none of the documents gives an evidence to combine the specific document with features disclosed in another document, claim 1 of the present application is also inventive with respect to the prior art.

As claim 1 is new and inventive with respect to the prior art, the dependent claims 2-7 are as well.

Conclusion: The claims 1-7 of the present application are new and inventive with respect to the prior art.

Industrial applicability is given.